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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON – EUGENE DIVISION

Linda Kirksey,

Plaintiff,

v.

TransUnion, LLC; WebBank; and DOES 1 through 100 inclusive,

Defendants.

CASE NO. 6:21-cv-01096-MK

PLAINTIFF'S VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF DEFENDANT WEBBANK PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41

TO THE COURT, CLERK OF COURT, AND ALL PARTIES:

PLEASE TAKE NOTICE THAT Plaintiff Linda Kirksey, pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1), hereby voluntary dismisses defendant WebBank, without prejudice, as to all claims in this action.

Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

41(a) Voluntary Dismissal

(1) **By the Plaintiff**

(A) **Without a Court Order.** Subject to Rules 23(3), 23.1(c), 23.2, and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(i) A notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.

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Defendant WebBank has neither answered Plaintiff's Complaint nor filed a motion for summary judgment. Accordingly, Defendant WebBank may be dismissed from the Complaint for all purposes and without an Order.

SCHUMACHER LANE PLLC

Dated: September 3, 2021

By: /s/ Kyle W. Schumacher
Kyle W. Schumacher
Attorney for Plaintiff

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